

5 El Dorado 9

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6 Attorneys for Cross-Defendant/Cross-Complainant,
ANTELOPE VALLEY UNITED MUTUAL GROUP; and
7 Cross-Defendants, ADAMS BENNETT INVESTMENTS,
LLC; MIRACLE IMPROVEMENT CORPORATION dba
8 GOLDEN SANDS MOBILE HOME PARK, aka
GOLDEN SANDS TRAILER PARK, named as ROE
9 1121; ST. ANDREW'S ABBEY, INC., named as ROE
623; SERVICE ROCK PRODUCTS, L.P.; and SHEEP
10 CREEK WATER COMPANY, INC.

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **IN AND FOR THE COUNTY OF LOS ANGELES**

13 Coordination Proceeding
14 Special Title (Rule 1550(b))

) Judicial Council Coordination
) Proceeding No. 4408

15 **ANTELOPE VALLEY GROUNDWATER**
16 **CASES**

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar
) Department 17C

16 Including Consolidated Actions:

17 **Los Angeles County Waterworks District**
18 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Los
19 Angeles, Case No. BC 325 201

) **CROSS-DEFENDANT/CROSS-**
) **COMPLAINANT, ANTELOPE VALLEY**
) **UNITED MUTUAL GROUP,**
) **SPECIFICALLY EL DORADO**
) **MUTUAL WATER COMPANY'S,**
) **FIRST SUPPLEMENTAL RESPONSE**
) **TO DECEMBER 12, 2012 DISCOVERY**
) **ORDER FOR PHASE 4 TRIAL**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Kern,
22 Case No. S-1500-CV-254-348

22 **Wm. Bolthouse Farms, Inc. v. City of**
23 **Lancaster**
24 **Diamond Farming Co. v. City of Lancaster**
25 **Diamond Farming Co. v. Palmdale Water**
26 **Dist.**

) For Court's Use Only:
) Santa Clara County
) Case No. 1-05-CV-049053
) (For E-Posting/E-Service Purposes Only)

25 Superior Court of California, County of
26 Riverside, consolidated actions, Case Nos. RIC
353 840, RIC 344 436, RIC 344 668

27 **AND RELATED ACTIONS.**

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
3 **GROUP** [comprised of Antelope Park Mutual Water Co., Aqua-J Mutual Water Co., Averydale
4 Mutual Water Co., Baxter Mutual Water Co., Bleich Flat Mutual Water Co., Colorado Mutual
5 Water Co., Eldorado Mutual Water Co., Evergreen Mutual Water Co., Land Projects Mutual
6 Water Co., Landale Mutual Water Co., Shadow Acres Mutual Water Co., Sundale Mutual Water
7 Co., Sunnyside Farms Mutual Water Co., Tierra Bonita Mutual Water Co., Westside Park
8 Mutual Water Co., and White Fence Farms Mutual Water Co., Inc.], by and through their
9 attorneys of record, Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis, Marlene L.
10 Allen-Hammarlund and Derek R. Hoffman, submit the following supplemental information and
11 materials for **EL DORADO MUTUAL WATER COMPANY**, under penalty of perjury, in
12 response to the December 12, 2012 Discovery Order for Phase 4 Trial (the "*Discovery Order*"),
13 issued by the Honorable Jack Komar, Trial Judge.

14 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
15 **GROUP**, and specifically **EL DORADO MUTUAL WATER COMPANY**, made a good faith
16 effort to fully and accurately respond to the categories of information required by the *Discovery*
17 *Order* in the Discovery Responses that it filed on December 21, 2012. However, due to the
18 shortness of time between the issuance of the order and the degree of detail required by the
19 *Discovery Order*, Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED**
20 **MUTUAL GROUP** hereby supplements its responses for **EL DORADO MUTUAL WATER**
21 **COMPANY** to include information and documents responsive to the *Discovery Order* which
22 were obtained after the December 21, 2012 deadline, and reserves the right to further supplement
23 its responses pursuant to the *Code of Civil Procedure* and this Court's December 12, 2012 *Case*
24 *Management Order for Phase Four Trial* and this Court's January 17th *First Amendment to Case*
25 *Management Order for Phase Four Trial*.

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1 Each supplemental response is identified by reference to specific responses and
2 documents provided in the **El Dorado Mutual Water Company** section of *Cross-
3 Defendant/Cross-Complainant, Antelope Valley United Mutual Group's Information and
4 Materials Responsive To December 12, 2012 Discovery Order For Phase 4 Trial* (the "Original
5 Responses").

6 These Supplemental Responses are verified by Jeanne Miller, whose name and title are
7 set forth in the Verification block at the end of these supplemental Responses. Ms. Miller is
8 authorized to make said verification on behalf of the El Dorado Mutual Water Company. Ms.
9 Miller has personal knowledge that the data and the documentation provided by these
10 Supplemental Responses were collected and are maintained by El Dorado Mutual Water
11 Company's employees, agents and vendors in the ordinary course of El Dorado Mutual Water
12 Company's business. Ms. Miller has obtained (or caused to be obtained) the data and
13 documentation provided by the Supplemental Responses from the business records of El Dorado
14 Mutual Water Company. Ms. Miller has reviewed these Supplemental Responses and believes
15 the data and documentation to be true and correct to the best of his knowledge and belief.

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EL DORADO MUTUAL WATER COMPANY

Original Response I.3.a. *Prima Facie* Groundwater Production Materials included documents which were attached but not specifically referenced in the responses due to the necessary haste in which those responses were prepared in order to comply with the December 21, 2012 deadline.

Original Response I.3.a. *Prima Facie* Groundwater Production Materials is supplemented to include references to the following additional documents:

- Southern California Edison, electrical usage data, January 1988 through December 2012.
- El Dorado Mutual Water Company – well site aerial photograph.
- El Dorado Mutual Water Company – parcel / water service map.
- El Dorado Mutual Water Company – Southern California Edison hydraulic test results, between April 1992 and April 2012.
- El Dorado Mutual Water Company – well site meter before storage tank readings, March 1996 through December 2012.
- El Dorado Mutual Water Company – Daily Log – 2000
- El Dorado Mutual Water Company – Daily Log – 2001
- El Dorado Mutual Water Company – Daily Log – 2002
- El Dorado Mutual Water Company – Daily Log – 2003
- El Dorado Mutual Water Company – Daily Log – 2004
- El Dorado Mutual Water Company – Daily Log – 2005
- El Dorado Mutual Water Company – Daily Log – 2006
- El Dorado Mutual Water Company – Daily Log – 2011
- El Dorado Mutual Water Company – Daily Log - 2012

1 **Original Response I.3.b. *Prima Facie* Property Uses Materials** included documents which
2 were attached but not specifically referenced in the responses due to the necessary haste in which
3 those responses were prepared in order to comply with the December 21, 2012 deadline.

4
5 **Original Response I.3.c. Additional Materials** is supplemented to include references to the
6 following additional documents:

- 7 • El Dorado Mutual Water Company – Articles of Incorporation
- 8 • El Dorado Mutual Water Company – By-Laws
- 9 • El Dorado Mutual Water Company – Share Certificate (exemplar)

10
11 **Original Response III.1.b. Amount of Return Flows Pumped** is amended as follows:

- 12 • El Dorado Mutual Water Company – AVEK Water Agency – 2012, Sales Journal for
13 the Period of January 1, 2000 to December 31, 2004.

14
15 **Original Response III.1.d. Amount of Water Imported** is amended as follows:

- 16 • El Dorado Mutual Water Company – AVEK Water Agency – 2012, Sales Journal for
17 the Period of January 1, 2000 to December 31, 2004.

18
19 **Original Response III.1.g. Dates of Importation of Water** is supplemented to include the
20 following additional information:

- 21 • El Dorado Mutual Water Company – AVEK Water Agency – 2012, Sales Journal for
22 the Period of January 1, 2000 to December 31, 2004.

23
24 **Original Response III.1. Specifically Requested Non-Overlying Information** is supplemented
25 to include references to the following materials provided with this *First Supplemental Response*
26 as Attachment III.1. in support of El Dorado Mutual Water Company's claims for return flows
27 and imported water.

1 Verification by Authorized Individual:

2 I, Jeanne Miller am the Secretary and Treasurer of the El Dorado Mutual Water Company
3 and have personal knowledge of the facts set forth above.

4 If called to do so, I could and would competently testify to these facts under oath. I
5 declare under penalty of perjury under the laws of the State of California that the foregoing is
6 true and correct.

7 Executed this 25 th day of January, 2013 at Lancaster, CA.

8 

9 JEANNE MILLER

10 Respectfully submitted,

11 GRESHAM SAVAGE NOLAN & TIDEN, PC

12 By: 

13 MICHAEL DUANE DAVIS, ESQ.
14 MARLENE L. ALLEN-HAMMARI UND, ESQ.
15 DEREK R. HOFFMAN, ESQ.
16 Attorneys for CROSS-DEFENDANT / CROSS-
17 COMPLAINANT, ANTELOPE VALLEY UNITED
18 MUTUAL GROUP; and CROSS-DEFENDANTS,
19 ADAMS BENNETT INVESTMENTS, LLC, MIRACLE
20 IMPROVEMENT CORPORATION dba GOLDEN
21 SANDS MOBILI HOME PARK, aka GOLDEN
22 SANDS TRAILER PARK [ROI 121], ST.
23 ANDREW'S ABBEY, INC. [ROI 623], SERVICE
24 ROCK PRODUCTS, L.P., and SHEEP CREEK WATER
25 COMPANY, INC.

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**PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053


I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 3750 University Avenue, Suite 250, Riverside, CA 92501-3335.

On January 30, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY EL DORADO MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012 DISCOVERY ORDER FOR PHASE 4 TRIAL** on the interested parties in this action in the following manner:

BY ELECTRONIC SERVICE – I posted the document(s) listed above to the Santa Clara County Superior Court website, <http://www.scefiling.org>, in the action of the Antelope Valley Groundwater Cases,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 30, 2013, at Riverside, California.



DINA M. SNIDER